IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

21839

Sir:

☐

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of the following pending application, by the following named inventor(s):

Application No. __10/095,620__   Filed: ____March 12, 2002____

Title: | Automated Methods of Detecting Receptor Activity

Inventor(s): | Larry S. Barak and Robert H. Oakley

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to <u>delete the name(s) of the following person or persons</u> who are not inventors of the invention being claimed in this application.

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to <u>add the name(s) of the following person or persons</u> who are inventors of the invention being claimed in this application.

☐ Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ Applicant(s) suggests Figure __1__ for inclusion on the front page of the patent application publication and patent.

BURNS DOANE

BURNS DOANE SWECKER & MATHIS LLP
ATTORNEYS AT LAW

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☒ Applicant(s) requests that the published application include the following assignment information: Duke Univeristy, Durham, North Carolina U.S.A.

1. ☒ Enclosed is a copy of the prior Application No. _10/095,620_ as originally filed on _March 12, 2003_, including copies of the specification, claims, drawings and the executed oath or declaration as filed.

2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.

3. ☒ Small entity status is hereby claimed.

4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment.

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Basic Application Fee (1001)					$ 750.00
Total Claims	7	MINUS 20 =	0	x $18.00 (1202) =	$ 0.00
Independent Claims	2	MINUS 3 =	0	x $84.00 (1201) =	$ 0.00
If multiple dependent claims are presented, add $280.00 (1203)					$ 0.00
Total Application Fee					$ 750.00
☒ Small Entity Status claimed - subtract 50% of Total Application Fee					$ 375.00
Add Assignment Recording Fee of $40.00 (8021) if Assignment document is enclosed.					
TOTAL APPLICATION FEE DUE					**$ 375.00**

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

6. ☒ Charge _$ 375.00_ to Deposit Account No. 02-4800 for the fee due.

7. ☐ A check in the amount of _____ is enclosed for the fee due.

8. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☒ Cancel in this application original claims _8-21_ of the prior application before calculating the filing fee.

10. ☐ New drawings are enclosed.

11. ☐ Applicant(s) claims priority under 35 U.S.C. § 119 of the following application(s):

Country	Application No.	Filing Date

Country	Application No.	Filing Date

☐ The certified copy of the priority application

    ☐ is enclosed.

    ☐ was filed on _____ in prior Application No. _____, filed on _____, and acknowledged by the Examiner on _____ in Paper No. _____ .

    ☐ has not yet been filed.

12. ☒ Please amend the specification by inserting before the first line the sentence:

    ☒ --This application is a ☐ continuation ☒ divisional of Application No. ___10/095,620___
filed on March 12, 2002, which is the non-provisional application of provisional application
60/275,339 filed March 13, 2001.

    ☐ --This application is a ☐ continuation ☐ divisional of Application No. _____,
filed on _____, which was a national stage filing under 35 U.S.C.
§ 371 of International Application No. _____ filed on _____ .--

    ☐ --This application is a ☐ continuation ☐ divisional of Application No. _____,
filed on _____, which was a continuation of International Application
No. _____ , filed on _____ .--

13. ☒ A preliminary amendment is enclosed.

14. ☒ An Information Disclosure Statement is enclosed.

15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

16. ☐ Also enclosed is _____
_____

17. ☒ The power of attorney in the prior application is to _Allen R. Baum, Reg. No. 36,086_____

    a. ☒ The power appears in the original papers in the prior application.

    b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

    c. ☐ Recognize as Associate Attorney _____

    d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

        Burns, Doane, Swecker & Mathis, L.L.P.
        P.O. Box 1404
        Alexandria, Virginia 22313-1404

_____July 29, 2003_____	By:	_signature_
Date		Allen R. Baum
		Registration No. 36,086

Address of signator:

Burns, Doane, Swecker & Mathis, L.L.P.   ☐ inventor(s)
P.O. Box 1404   ☐ assignee of complete interest
Alexandria, Virginia 22313-1404   ☐ attorney or agent of record
(919) 941-9240   ☒ filed under 37 C.F.R. § 1.34(a)

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

"Express Mail" Mailing Label No.: EV 171050127 US   Date of Deposit: July 29, 2003

signature
Donnie S. Dietrich

BURNS DOANE
BURNS DOANE SWECKER & MATHIS LLP
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